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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Bill J. Pope et al. )  
Application No.: 09/494,278 )  
Filed: January 30, 2000 )Art Unit 3738  
For: PROSTHETIC KNEE JOINT HAVING AT )  
LEAST ONE DIAMOND ARTICULATION )  
SURFACE )  
Examiner: David J. Isabella )  
Attorney Docket: 05261.021 / 6061 P )

**RESPONSE**

RECEIVED  
MAY 24 2004  
TECHNOLOGY CENTER 3700

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Honorable Commissioner:

In response to the Office Action dated December 16, 2003, Applicants submit herewith this Response with Remarks.

**Remarks**

Claims 1-29 and 31-67 are currently pending. Applicants appreciate the Examiner's allowance of claims 1-28, 31-55, 64 and 65.

***Priority Claim***

The Examiner states that the Applicants' claim for priority has not been perfected as the inventor tree is not consistent. Action, p. 4. Applicants respectfully disagree as Section 201.11 of the M.P.E.P. states that "applications claiming benefit of the earlier filing date under 35